DAHY UNION AND AMERICAN

## Union and American

Cities of the Union and American."

THURSDAY, SEPTEMBER 20, 1866. Treason in the State Courts.

Habeas Corpus Case in the 5th Circuit

The Argument and Decision.

STATE OF TENSESSEE ERASNUS L. GARDENHIRE Treasun, and STEPHEN H. COLUMN. ABGUMENT OF THOS. R. MURREY, OF COUN-

SEL FOR DEFENDANTS.

treason, against the State of Tennessee. This Court will not underrate the importance of the question involved in this prosecution, when it reflects upon the heinous character ascribed to the crime by the laws punishment to the crime, yet at no very learn from Mr. BLACKSTONE, the most cruel punishment was inflicted on persons convictwalk. 2d. That he be hanged by the neck and cut down alive. 3d. That his entrails be taken out and burned while he is yet alive. 4th. That his head be cut off. 5th. That his body be divided into four quarters, and be at the King's disposal. We fear now, may it please the Court, that there are those among us who would rejoice to see the refined cruelties of the common law on the n our own time who have added to the refined cruelties of the common law, by pro-

We ask the discharge of the defendants from further answering the charges preferred against them, upon two grounds. 1st. The crime charged in the indictment, if true, would be treason against the United States, and therefore not punishable by a

2d. The facts do not make out a case o We, however, waive any objection to it, for the sake of a trial upon the merits.

the argument that are York ss. Lynch, the Court says: We think scribes that no attainder of treason shall the jurisdiction of the State Courts does not | work corruption of blood. extend to treason against the United States. totion and laws of the United States.-11

Suppose we admit, for the sake of arguamounted to treason against the States, or the United States, then the Courts of both powers would have power to punish him, in who is to decide which has the right? It is at once between these jurisdictions, between which there is no common arbiter. The language of the Constitution conferring up-Congress shall have power to establish a uniform rule of naturalization,"

"Congress shall have power to declare the nishment of treason." Mr. Justice Story says, in reference to exclusive; for a concurrent power in the States would bring back all the exils and embarrassments which the uniform rule of diction, another liability, which constithe Constitution was intended to remedy. tutes a personal exemption. It might, how-And accordingly, though there was a mo- ever, be maintained that the sovereignty of legislation of the latter extended, as the supreme law; yet the power is now firmly established to be exclusive,"-2 STORY on Con., sec. 1104.

This text is supported by numerous de-States-2 WHEATON, 209, 269. 5 WHEATON, 48, 40: 12 WHEATON, 277. We are not left to support our position,

Courts of the United States, gives to the and offenses cognizable under the authority of the United States, except when the laws of the United States shall otherwise provide. See Act I, Session 1, 1st Congress,

Mr. STORY says, that "The power to punthe tribunals appointed by them. A State he Constitution, exist which is not at the

the United States? This inquiry may be part of them as may be employed in the solved by answering the question, is levying war against a single State of the Union—as government be sovereign in any just sense of distinctly announces the same doctrine. I Massachusetts, or New York—levying war against the United States? If England or France should declare and presente a war against the State of New York, by invading or mode of regarding the two governments. The propagainst the State of New York, by invading or mode of regarding the two governments. her territories, blockeding her ports, and is, as exercising the distributed powers of time will not permit. It is stated, on high besigning her cities, would this bewar against one entire sovereignty. From the nature of the United States, or against the State of the case, the General Government must have an, Hon. E. M. Stanton, S. P. Chase, to-New York only? If against New York only, then the Government of the United States, and the Government of all the other States would, under the laws of nations, be bound to respect the laws of neutrality establised for the government of nations. If ments of the States must be excluded. satisfied for the government of nations. If this be true, foreign nations might subjugate State by State, while the hands of the United States and the other State Government of the States in the part of the states and the other State Government of the States in the part of the states and the other State Government of the States in the part of the states, and every act of hostility against a State, and every act of hostility against the whole States, and every act of hostility against the volument of the states of the states and the other state Government of the part of the surface in the state in

rse, that if waging war against a State is | These are all the authorities that I have bibe and act upon these doctrines, is it poswaging war against a State is been able to find that bear, either directly or indirectly, upon the point; but supported against a State, is the commission of treason against the United States.

The are in the possible that the laws of any nation, however cruel, in Christendom, would hold them to an against the United States.

The are in the possible that the laws of any nation, however cruel, in Christendom, would hold them to an against the United States.

Where is the criminal intention

It is extremely difficult to imagine a case | purpose.

of treason against a State, that would not amount to treason against the United States.

And it is still more difficult to resist the conclusion that the framers of the Constitution intended to exclude the States from the trial of causes of treason. They undertake to define treason, and leave the definition of the that they made speeches, encouraging the treason, and leave the definition of the trial of causes of treason, and leave the definition of the trial of causes of treason, and leave the definition of the trial of causes of treason, and leave the definition of the trial of causes of treason. They undertake that they made speeches, encouraging the trial of causes of treason, and leave the definition of the trial of the tr The State Courts Have no Jurisdiction. more innocent and patriotic men had suffered death, and corruption of blood, for trea-son, than for all the other crimes. Under

posing to crucify rebels with their heads by the courts or by Congress, upon the crime down.

by the courts or by Congress, upon the crime authority was right, when measured by the public, and therefore treason committed of what avail is the constitutional definition guilt on the part of the defendants. The indifferent legislatures can create as many different legislatures can cr The first count in the indictment charges the defendant, in connection with thirty of my property you choose. But suppose I others, of levying war against the State of subject that the statute of Enwand III, had, say to him, go take what you choose from connessee. The other counts in the indict- to some extent, extricated the mother country my neighbor. Who would not say that, in

and is therefore punishable by their laws. It mt, the reverse of this proposition, and Mr. Stony, in section 1301 of his commenthat the Courts of the States and the United States have concurrent jurisdiction over the implication, expresses the opinion that treacrime of treason against the United States. | son cannot exist against a State that would Whenever a citizen committed an act that | not, at the same time, be treason against the | these persons, because she, in her sovereign State to punish treason against itself he says: "If, indeed, a case can exist under the Conviolation of that salutary principle in our stitution which is not, at the same time, Constitution, which provides that no citizen treason against the United States." A writer admit the jurisdiction of the court, and that shall be put twice in joopardy for the same offense. Where the offense amounts to treason, both against the State and the United States, if the State Court takes cognizance of the offense, and brings the offender to punishment, can be plead that conviction in bar of the presecution of the United States and Pederal Governments, an act of Tennessee, or the United States, according to the presecution of the United States of Tennessee, or the United States, according to the criminal code of any civilized or levying war against the State of Tennessee, and brings the offender States of Tennessee, or the United States, according to the criminal code of any civilized or levying war against the State of Tennessee, and brings the offender States and Pederal Governments, an act of Tennessee, or the United States, according to the criminal code of any civilized or levying war against the State of Tennessee, and brings the offender States and Pederal Governments, and act of Tennessee, or the United States, according to the criminal code of any civilized or levying war against the State of Tennessee, and Pederal Governments, and act of Tennessee, or the United States, according to the criminal code of any civilized or levying war against the State of Tennessee, and the connection of the United States, according to the criminal code of any civilized or levying war against the State of Tennessee, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments, and the connection of the United States and Pederal Governments. States? Certainly not. Both Courts may same offense constitutes treason against the Christian nation. This proposition can be nessee. The other counts are for assisting desire to try the offender, on the same day:

| Federal Government, and the crime against clearly demonstrated without assuming in levying war against the State. We prewho is to decide which has the right? It is a part is atoned for by the punishment inmanifest that this doctrine is in conflict with flicted for the offense against the general that a State has a right to second or withdraw from the Union; or, that the of judicial pretensions, that levying war the harmonious working of our system of sovereignty. The General Government does the harmonious working of our system of government does government, and cannot be maintained either upon principle or by authority. When once admitted, a thousand conflicts spring up once admitted, a thousand conflicts spring up once admitted, a thousand conflicts spring up once admitted at the commission.

State Government does not at the same time leverage command of the State Legislature, excuses the defendants from liability to the United States. We can safely admit, for the sake of argument, or as a fact, if you choose, that will not be denied that the commission language of the Constitution conferring upon Congress power to establish a uniform
rule of naturalization, is the same as that
used in emferring upon Congress the power
the citizen, who owes a double allegiance,
cannot be twice punished, or put in peril, for
the citizen, who owes a double allegiance,
cannot be twice punished, or put in peril, for
the same offense. The trime which was
if not justifying, any action of its citizens.
Or, when an occasion presents itself, and my
levying war against the citizen.
Or, when an occasion presents itself, and my destruction of the confederacy. The laws punishment of the offense, not onlyr the the power conferred upon the subject of crime against the State, but also as commit-naturalisation: "It follows, from the very ted against the government of the nation. nature of the power, to be useful, it must be The power of the State is maintained.

mentary hesitation, when the Constitution | General Government entirely supersedes tha first went into operation, whether the power of the States, in relation to subjects within might not still be exercised by States, subject | the jurisdiction of the former. What is only to the control of Congress, so far as the sovereignity? In its true sense it implies the State was valid or binding upon the States in relation to the United States; but the supremacy of the latter is absolute in belief in supporting the rebellion. It is a all cases, where the constitutional powers of | rule of law, that where there is no intention not only implies independence, but absolute animus furendi must enter in and constitute powers of government; but neither the a part of every criminal offense. This salu-United States nor the States can exercise tary rule of law is too familiar to need any on this point, by the analogies of the two
powers conferred by the Constitution. The
act of Congress establishing the Judicial
Courts of the United States, gives to the Circuit Courts cognizance exclusive of the were independent governments, capable of that he was acting in perfect accordance with Courts of the several States, of all crimes exercising every power of sovereignty; but his allegiance, he is guilty of no crime. so far as those powers were withdrawn and delegated to the Government of the United States, their sovereignty was diminished. The degree in which the sovereignty of the United States, is measured by the extent of ish the crime of treason, against the United | those enumerated powers, which cannot be | One party maintained that the Supreme concurrent, and in their exercise necessarily States, is exclusively in Congress; and the concurrent, and in their exercise necessarily trial of the offense belongs exclusively to supercede those of the States. The application of the term sovereignty to the Govern- of the State was the final judge. The Conannot take cognizance, or punish the of- ment of the United States is an erroneous fense, whatever it may do in relation to the of language, and has a tendency to con-offense of treason committed exclusively found ideas. In all most all discussions regainst itself, if indeed any case can, under lating to the State governments, from this perversion of terms, an unfounded assumpsame time treason against the United States." tion has been made, which has tended to We are then sustained, both by reason and false conclusions. The Constitution of the United States, may be resumed anthority, in the assumption that when the | United States provides that Congress shall act charged is treason against the State, and the United the Courts of the United States, the Courts of the United the rollitia to excent the laws of the Union, Madison, in his report on the Virginia States have exclusive jurisdiction of the suppress insurrections and repel invasions, and to provide for organizing, arming, disci- more explicit terms. The Kentucky Is levying war against a State treason to plining the militia, and for governing such resolutions of 1798, acknowledged to be

to define treason, and leave the definition of all other crimes to the law-making power of the United States, and to the several States. the United States, and to the several States. nessee, to link their destinies with the cause ernment. If treason has been committed, This action of the framers of the Constitution was not without its object. Why do nate and bloody struggle. They maintained they make treason the only exception in the that the cause of the Confederates was right, by adhering to a doctrine that they have whole catalogue of crimes? The great men who framed the Constitution of the United States, were not insensible to the fact that one as she had never before or since cast for plain? We think not, while justice, reasonable to the fact that the cause of the Considerates was right, and these speeches were made after Tennessee had, by an overwhelming vote, (such an eighty years, can they have approved and endorsed time and again for eighty years, can they they be heard to complain? We think not, while justice, reasonable to the fact that the cause of the Considerates was right, and they have approved and endorsed time and again for eighty years, can they they be heard to complain? We think not, while justice, reasonable to the fact that the cause of the Constitution of the United see had, by an overwhelming vote, for the cause of the Constitution of the United see had, by an overwhelming vote, for the cause of the Constitution of the United see had, by an overwhelming vote, for the cause of the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the Constitution of the United see had, by an overwhelming vote, for the Constitution of the United see had, by an overwhelming vote, for the Constitution of the

any man or cause,) decided to sever her political connection with the United States, This cause comes here upon a writ of has the old common law it was left to the discrebess corpus, to relieve the defendants from an illegal arrest, under a capius issued from the office of the Circuit Cours, by the Clerk of arch, when he feared the power or ability of Cumberland county. The foundation for a subject, and but to resort to a corrupt tion to it except that it is an offense against not require the recognition of other the issue of the comias is an indictment for judge, that was indebted to him for his sovereignty. All law-writers agree upon States to confirm its internal sovereignty. place, to secure a conviction and attainder.
The history of England is replete with instances of the prostitution of the powers of governments to the unworthy and despication. The lodgment of sovereignty. The existence of a State de facto, is sufficient in this respect to establish its sovereignty. The existence of a State de facto, is sufficient in this respect to establish its sovereignty.

The lodgment of soverignty. The existence of a State de facto, is sufficient in this respect to establish its sovereignty.

The sufficient countries.

In this country it is universally agreed, by the jurist and statesman, that it is lodged there existed a de facto government, the Court character ascribed to the crime by the laws of destroying worthy and patriof all nations. While our own legislation of edit subjects. So intolerable was this grievtheir representatives in Congress and the their representatives in Confederate successfully defined that the Confe precaution, thousands of innocent men and | whom that sovereignty is vested, command | land and France, two of the greatest power women have suffered death at the hands of a or permit an act to be done, can they then of earth. A power that armed, equipped, women have suffered death at the hands of a correct and revengeful monarch, and a corresponding to the party thus acting, by her command or permits an act to be done, can they then acting, by rupt judge. Nor are republics exempt her command or permission, is guilty of treason? We read with great horror of a sovering remarked, that "new-fangled and artificial treasons have been the great engines from his subjects. How much better is the law with relating the property and treasons the responsible of the party thus acting, by disciplined, and maintained, for four years, a half million of soldiers; that fought battless that "new-fangled and artificial treasons have been the great engines from his subjects. How much better is the law with responding the party and treasons the responsible of the party thus acting, by disciplined, and maintained, for four years, a half million of soldiers; that fought battless that will be sung by poets and chronisched the new charter, is now open for bus creating the party thus acting, by disciplined, and maintained, for four years, a half million of soldiers; that will be sung by poets and chronisched the new charter, is now open for bus creating the party thus acting, by disciplined, and maintained, for four years, a half million of soldiers; that will be sung by poets and chronisched the new charter, is now open for bus creating the party that the party thus acting, by disciplined, and maintained, for four years, a half million of soldiers; that will be sung by poets and chronisched the new charter, is now open for bus the sung by poets and chronisched the new charter, is now open for bus the party that the party that the party that the party thus acting the party that th by which violent factions, the natural off-spring of free governments, have usually to be done, and then punishes the party challenged the admiration of the world. wreaked their alternate malignity on each | committing it? Is it any less wrong because of the common law on the subject of treason revived, and made applicable to treason in our days; nay, who would revel with delight in the re-enactment of the bloody assizes of Jeffres in our own the people, in their aggregate capacity, do country. We do learn that there are judges of the organic law of the land? Mr. STORY the defendants were in accordance with the says their object was to place an impassable | will of the sovereign authority of the State arrier against arbitrary constructions, either at that time. It is not material for us to en-Are we not then to conclude that they intended to preclude any cognizance, by State law of the United States Government. It authorities, of the crime of treason. For is sufficient for us to know that the act complained of was the will of the sovereign of treason, if the several States can travel | power of the State, and if so, then the State outside of that definition, and create as many is estopped from affixing to ita penalty. The new-fangled treasons as their caprice or malice hay dictate? Thus we see that thirty odd were indicted for an offense against the Unithereby defeating the object of the framers | could not justify the violation of the sover of the Constitution in giving it a fixed defi- eignty of the superior, or of an equal. I

Temperate. The other counts in the indiction of the form of the state by furnishing men, arms, provisions, etc. Therefore ment charge him with aiding and assisting in lavying war against the State by furnishing men, arms, provisions, etc. Therefore a state may regard a law for Congress only; if so, then a State may create any the argument that applies to the constitute of the state may regard a law for Congress only; if so, then a State may create any only if so, then a State may c tion of I treason, and affix a punishment to it. They | guilty of an offense? Just so the sovereign law, arising under the first count, is equally applicable to all the other counts. In the works a corruption of blood; yet the Constitute to the people of the State of New tution, in the same article and section, presented against the United States; and the State of which were the offering of the passions of against the United States; and the State of which were the offspring of the passions of Tennessee would be estopped from punishing the act as treason against her sovereignty. Upon this point there is a great dearth of As to whether the citizen is bound to obey the tice, truth, and patriotism in the future. The judicial power of the United States ex-tends to all cases arising under the Consti-his introductory report to the Criminal Court a different question. It will not do to say

> State of Tennessee is estopped from punishing United States. Speaking of the power of a capacity, commanded, or permitted the acts uplained of to be done. We may place the defense of these dein the jurisdiction of each sovereignty, and these facts are settled against us, and still be treason by levying war against a State is the t is competent for each to make full provi- able to demonstrate that these defendants are sion for the punishment of the crime. But guilty of no crime. It is not my purpose to States. We do not deem it necessary t interest and duty require of me, I will main-

the action of its citizens, if it does not self the exclusive jurisdiction of all offense absolutely justify them.
Without descending to minutize, the gene ral facts of this case are, that the defendant entered heart and soul into the recent rebellion, and from a sincere and conscientious belief that he was discharging his duty to his Gob and his country. The people of Tennessee, in whom all sovereignty rests, had, by overwhelming numbers voted to sever their connection with the United States. Now, we do not maintain that this action of independence and superiority. There is, however, no actual independence of the States in relation to the United States; but the States in relation to the United Stat cisions of the Supreme Court of the United | the Government are exercised. Sovereignity | to commit crime, there is no guilt. The | laws of the United States." It can make no

So soon as the Constitution of the United States was formed, the great men who figured in the revolution of 1776, and imme diately after the close of the revolution, dif-States is affected by the Constitution of the | ferred upon the question as to who was the final judge of violations of the Constitution Court of the United States was the ultimate tribunal; the other that the sovereign power vention of Virginia reserved to the State the right to judge of infractions of the Consti-tution. They say: "We do, in the name, and in behalf of Virginia, declare and make known, that the powers granted under the Constitution, being derived from the peoby them whensoever the same shall be per-Madison, in his report on the Virginia reso lations, holds the same doctrine, only in

purpose.

So far as the interests of my clients are belief that he is doing his duty to his God

repositories of the sovereignty of that Govon and religion hold their high positions in

this country.

The Confederate Government was a defacto is a thing actually done. WHEATON describes a de facto government as a new State springing into existence, and does not require the recognition of other successfully denied that the Confederate Then if the Confederate Government was a de facto government, the people under its jurisdiction were bound to obey its laws. Mr. BLACKSTONE says: "It is held that a King de facto and not de jure, in other words a usurper that hath got possession of the crown, is a King, within the meaning of the statute, as there is a temporary allegiance due to him, for his administration of the against Henry VI., was punished under EDWARD IV., though all the line of LAN-CASTER had been previously declared usur-pers by act of Parliament." And again: "When, therefore, a usurper is in possessio the subject is excused and justified in obe ing and giving him assistance; otherwise under usurpation, no man could be safe, if the lawful prince had a right to hang him

for obedience to the power in being, as the usurper would certainly do for disobedi-THE OPINION OF JUDGE GOODPASTURK. The cause would have to be strong indeed where this Court would relieve a party on a

There are many questions raised by coun-sel to which the Court would be loth to give of Louisiana, maintains that treason against the Legislature of 1859 were traitors. This its assent. This Court could not feel more a State is treason against the United States, is a denunciation. Denunciation is one consider the court would be loth to give ensibly than it does that the worst of malening, and argument another. Besides, the factors is he who seeks to subvert the prin people in whom all sovereignty rests, by an ciples of the Constitution of the United FIRE, MARINE, AND INLAND RISKS TAK-States. No where in ancient or modern times have the organic principles of govern ment secured so much happiness to the mass of the people as has those of the Govern-ment of the United States. No people owe so much to their government as do this people. He who in his heart commits treason against such a government and such commission of treason against the United are content with a collation of the authori- OFFICE, 25 CHERRY STREET, of the State provide for the punishment of the crime against its own sovereignty. The laws of the United States provide for the rightfully expressed, goes far in extenuation examined to the command of a sovereign State, rightfully expressed, goes far in extenuation examined to the command t ties upon the power of a State tribunal to punish the crime of treason against the Gen-

against the United States in the act organ iring its judicial system. See Act, 1st Congress, 1st Session, Chap. 20, Sec. 11. Mr. Story in his commentories upon t reason against the United States, is exclusively in Congress, and that the trial of the appointed by that power. See Story on the Con., Vol. — Sec. —. In the case of the people of New York against Lynch 11th, treason against the United States. The dicial power of the United States extends to all cases arrising under the Constitution and difference that the crime charged amounts t t reason against the State. A party can b placed but once in jeopardy for the same offense under our Constitution, and the sup

rior jurisdiction must prevail. We are, therefore, constrained to release th defendant from answering the charge, upo the ground that State Courts have no juri diction of the offense of treason against the United States. W. W. GOODPASTURE. Judge 5th Circuit-

ETNA

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Reference is made to correspondents throughout the country, and to Banks and Bankers of this city.

A. WHELESS & CO.

LIVERY AND SALE STABLE,

NO. 30 DEADERICK STREET

BETWEEN SUMMER AND CHERRY.

Morses,

GENERAL SATISFACTION

To all who may favor me with their patronage.

CUSTOMERS,

Thankful for the past favore, I ment respectfully

TO THE

HOLDERS OF THE NOTES

J. F. PENTECOST,

The Buggies and Carriages are of

THE UNDERSIGNED WOULD MOST RE spectfully call the attention of the citizens of shville and public generally, to his fine stock of Buggies,

CAPITAL.

550,000 Losses promptly adjusted and paid at this office,

The McIntyre Iron Cotton Tie I SEX FAR THE CHITAPEST, MOST CONvenient and durable TIR ever referred to the
public. It is ENTIRELY DIFFERENT from,
and VASTLY SUPERIOR to the old "Batten
Tie;" cheaper and more convenient than rope,
fastening by a new and simple device, and is
easily and speedily adjusted to the largest as well
as the smallest compressed bale of cotton.

Offered for sale to planters and others on the
most reasonable torms by

A T THE LAST TERM OF THE CHANCERY Cours of Davidson county, the following order was made, viz: "It is ordered that the ereditors of the Union Bank of Tennessee who hold the circulating notes and all who may bereafter become bolders of such notes, shall, on or before the let of January next, 1807, file such notes with Jusuru W. Allers, as Trustee, onder the penulty, in case of failure so to do of being excluded from the provided dividends which may be made, and being harred from all chain against the trust fand by the stat-

NOTICE TO RAILROAD CON-TRACTORS. Possible we intend giving satisfaction. Call at that Cheap Store. 46 and 48 South College street. Nashville, Tennessee.

POR RENT, OR LEASE
TORA TERM OF TEARS, A FIRST CLASS
RESIDENCE, centrally located. For terms address Box 50.

PROPOSALS FOR THE WORK NECESSARY to complete the Jasper Branch Railroad, including Grading, Reidong, Tex. Tracklaying, ste., will be received at the office of the Nashville and Chattanooga Railroad Company, or by the Engineer in charge, at Jasper, antil the Jith Systember next.

Mug. 18-lm.

Regiment in Charge.

WHOLESALE DRY GOODS

THIRD NATIONAL BANK, IRBY MORGAN, O'BRYAN & CO.

7 AND 8 PUBLIC SQUARE, SOUTH SIDE,

Are now receiving and will have complete by the First day of Soptember

FALL GOODS,

Which they offer at SMALL ADVANCES FOR CASH, to Merchants only We ask special attention to the extended variety of goods always to be found in this stock, embracing as it does almost every discription of

DRY GOODS AND VARIETIES IN COMMON USE.

It is our policy to keep our stock constantly replenished with new goods thereby offering strong inducements to those who wish to buy often, and who prefer to make the selections always from FRESH NEW STOCKS.

NO.25 UNION SIRRET, NASHVILLE, TENN DRESS GOODS GENERALLY

EMBRACING

SHAWLS, NUBIAS, SCARFS, &C.,

Will constitute one of the attractive features of the stock Our buyer will visit the Eastern Markets every six Weeks, and will selsuch goods as the wants and tastes of the community may require.

ORDERS FAITHFULLY EXECUTED.

NASHVILLE CITY

TRANSFER COMPAN

TICKETS OVER THE

NAMEVILLE AND CHATTANOOGA,

RAILROADS.

aug@0-tf

H. BAILEY, Formerly of Manry co.

of Williamson county.

OMNIBUS

NEW FIRM. C. L. PULLER

SUCCESSORS TO

W. P. TURNER & CO. DEALERS IN CITY AND RASTERN MADE

BOOTS AND SHOES,

NASHVILLE, August 28, 1866. WE have this day disposed of our interest in Stock of Boots and Shoes to J. B. Love of Co., who will continue the business at the old stand, No. 36 College street.

We take this opportunity to return our thanks to the public for the liberal patronage which has been extended to us, and bespeak a continu-ance of it to our successors, whom we most heartily recommond as business men of experience, appli-cation, convey and integrity.

NO. 56 COLLEGE STREET.

recommend as business and Carriages,

RUPTURE! RUPTURE! Which can be furnished at any hours day or night.

The Most Modern Style, THE SELF-ADJUSTING TRUSS. And my Horses cannot be excelled in speed and style by any in the city. Give "UP AND UP" a call, and I warrant to give satisfaction. I would also ca'll the particular attention of the

PACILITIES FOR BOARDING HORSES. Having secured the services of the best Hostlers a the country, and my Stable being thoroughly entilated, I feel confident of giving

THIS TRUSS IS ENTIRELY DIFFERENT in PRINCIPLE and ACTION from any other now in use, and has EVERY DESIRABLE ADVANTAGE, viz:

It is light, clean and easy; no pressure on the back; with motion inward and upward. 2d. It has no springs or pade; the Button is smooth and durable, and will not shooth perspiration; the pressure is equal on all parts of the Hernial aperture, without infringing on the Spermatic Cord, (a quality possessed by no other Tracs, as the frequency of Varicoccie in those who have worn the various kinds can testify,) thus: the aperture being relieved of pressure becomes firmly closed by adhesive inflamation, thereby conforming a curve. Having set apart a portion of this Mammoth ACCOMMODATION OF TRANSIENT

> 3d. It adapts itself to any position: can be ap-plied at any age: cannot be thrown out of place, nor can the intestine be forced by any strain or 4th. It is not complicated, and cannot get out of 5th. It is the only Trues in this country that will permanently care the most obstinate as well as recent cases of Hernia. As no two cases of Hernia are alike, it is necessary to have a personal examination, and an is strument made to suit the peculiarities of the

References can be given in this city of eases FIVE TO THIRTY YEARS' STANDING having been PERMANENTLY cured by this instrument.
All communications should be addressed (with stamp) te

DR. T. ST. C. PERRISS.

Nashville, Tenn.,

Manufacturer and sale Proprietor. Office, No. 47 Church street, (up stairs,) opposition would live a jy 25-3m he Southern Regalia Emporium

No. 14 North Charles Street, cor. of Fayette St HALTIMORE, MD., MANUFACTURERS AND DESCRIBE OF Masonic, I. O. O. F., Red Men's, SONS OF TEMPERANCE. And all other Societies'

seed-fee

Sisco Brothers,

Cotton, Commission

WHOLESALE GROCERY WAREHOUSE,

Nos. 5 and 7 Broad St., NASHCVILLE, TENNESSEE,

WE BEG LEAVE TO RETURN THANKS to our friends for the very liberal share of paironage bestowed upon our house, the past mason, and would say that having enlarged our facilities for STORING COTTON, we are now prepared to give every attention to the STORAGE, SALE AND SHIPMENT OF ALL COTTON our friends may entrust to our care. We promise that every effort will be used to seeme the very ald here or in other markets.
Will make CASH ADVANCES on all Cetton or
The Postporshipped to us. Our TERMS SHALL LWAYS BE AS LOW AS ANY OTHER BLIABLE HOUSE JAMES M. CARNEY AND WM. T. RAMPLE will give their undivided attention to the Cotton Department, and will strain every nerve to make it to the interest of Planters to We will at all times keep a full stock of Groce- unti-lawiw ies, Bagging, Rope and Twine, and all grades four for sale at the lowest prices.

WANTED.—We wish to purchase washed and nawashed WOOI., FRATHERS AND DRIED FRUIT, and will always give the BEST PRICES. BAILEY, ORDWAY & CO. Fancy Flour! Fancy Flour!! We will keep constantly on hand, by the single barrel or car lead, H. VAUGHN & CO.78 celebrated LOCKLAND MILLS FLOUR, which we will warrant in every instance. We will also zeep several other branche of Flour, which we offer to the trade at the LOWEST CASIL PRICES, Dealure will do well to examine our Flour before purchashine.

BAILEY, ORDWAY & CO. ан22-бен HUGHES' TONIC A SAPE, SPEEDY AND EFFECTUAL

REMEDY FOR FEVER AND AGUE, PREPARED BY

R. A. ROBINSON & CO., LOUISVILLE, KENTUCKY. Regalias, Jewels, &c., &c. Por sale by Draggists generally.

sq30+-3m

THE NAMINGLE DATES CAME AND AMERICAN.

Office, Union and Assurcas Block, corner erch and Chorry sta, opposite the Post Office COLUMN TWO IS NOT Proportionate rates for shorter periods.

criptions invariably in advance. LEGAL ADVERTISEMENTS.

Information in the Circuit Court of the United States, for the Middle District of Tennessee, October Term, 1866, No. 1980, United States vz. 44 Barrels Whisky, WHEREAS, HORACE H. HAHRISON, ESQ. Attoraces of the United States for said District, not filed his information in and Court, as well on behalf of the United States as of H. L. Norrell, Collecter, &c., and of all persons concerned against it toursels Whisky, distilled by James Brown, Wu. Brown and George Prown, in Cambell county, Team, seized in the hands of W. M. A. Morton and Wu. Stanfey, altering, among other things, that said Whisky was seized at Nashville, in said District, as being forfested to the United States under the act of Congress entitled "Au Act to provide Internal Revenue to apport the Grocement, to pay interest su the Public Beht and for other purposes." Approved June 28th, 1861, and the act amendatory thereof, approved March 3, 1865.

New, therefore, in obediences to the monition of the said Court to me directed and doirs read, I do hereby give public notice to all persons claiming said property, or knowing or having anything to say why the same should not be condemned as forfeised, that they be and appear before the said Circuit Court, to be delif in the Publeal Court Room, in the Capitol, in the city of Nashville, on the 15th day of October, then and there to inforpose their claims.

E. H. GLASCOCK. No. 1980, United States vs. 44 Barrels Whisky.

aformation in the CI renit Court of the United States, for the Middle District of Tennessee, October Term, 1865,

No. 1061, United States vs. 4 Barrels of Whisky.

WHEREAS, RORACE H. HARRISON, ESQ., Altorney of the United States for said District, bath filed in information is mid Court, as well on behalf of the United States as of H. L. Morvell, Colicetor, &c., and of all persons concerned, against four barrels of whisky, was saized in Nushville, in the District aforesaid, in the hands of John Reid, as being forfeited to the United States under the act of Congress entitled, "An act to provide Internal Revenue to support the Sovernment, to pay interest on the Public Bobt, and for other purposes," approved June D. Isol, and thus act amendatory thereof, approved March 5, 1855.

Now, therefore, in obedience to the monition of the Court to me directed and delivered, I do hereby give public notice to all persons claiming said property, or knowing or having authority to say why the same should not be condemned as forfaited, that they be and appear before the mid Circuit Court, to be held in the Federal Court. Room, in the Capital in that city of Nashville, on the 15th day of October, 180, then and there to interpose their chains.

E. R. GLASCOCK, 2893-141.

U. S. Marshal, M. D. T. in. 1081, United States vs. 4 Barrels of Whisky.

Information in the United States Cirenit Court for the Middle District of Tennessee, October Term, 1895. No. 1082, United States vs. 3 barrels of whisky No. 1082, United States vs. 3 barrels of whis ky WHEREAS, HORACE H. HARRISON, ATtorney of the United States for said district bath flied his information in said Court, as well as on behalf of the United States as of H. L. Norvell, collector, etc., and of all persons concerned, against three barrels of whisky, seried in the bands of Gabriel Cooper, alleging among other things, that said whisky was sized in Nashville, in the district aforerald, as being forfeited to the United States under the set of Congress entitled "An ask to provide internal revenue to support the flivernment, to pay interest on the public debt, and for other purposes." Approved June 20, 1964, and the act amendatory thereof, approved March 3, 1865.

Now, therefore, in obedience to the monition of the Court, to me directed and delivered, I do hereby give public notice to all persons claiming said property, or knowing or having anything to say why the same should not be condemned as forfeited, that they be and appear before said Circuit Court, to be held in the "Federal Court Room" in the Capital, in the city of Nashville, on the 15th day of October, 1866, then and there to finterpose their claims. Information in the Circuit Court of the United States for the Middle District of Tennessee, October Term, 1965.

No. 1983 United States vs. four barrels Whisky. WHEREAS, HORACE H. HARRISON, RSQ. Attorney of the United States for said District hath filed his information in said Court, as well as on behalf of the United States, as of H. L. Nervell, Collector, As., and of all persons commenced, against (9 four barrels Whisky, alloring, among other things, that said whisky was extract in Machville, in the district aforesaid, in the bands of P. K. Hardwick, as being forfest to the United States, under the act of Congress entitled "an act to provide internal revenue to support the tiovernment, to pay interest on the public debt, and for other vide internal revenue to support the Government, to pay interest on the public debt, and fire other purposes." approved June 50th, 1864, and the act amendatory thereof, approved March M. 1865.

Now, therefore, in obseitence to the repution of the Court to me directed and delivered, I do hereby give public notice to all persons claiming said property, or knowing or having anything to my why the same should not be condemned as forested that there are described to the said.

feited, that they be and appear before the mail Circuit Court, to be held in the Federal Court Room, in the Capitol, in the city of Nashville, on the 15th day of October, 1829, than and Indre to interpose their claims.

E. R. GLASCOCK, u. S. Marshal M. D. T. Information in the Circuit Court of the United States for the Middle District of Tennessee, October Term, 1865. No. 1984. United States vs. 2 barrels Whisky WHEREAS, HORACE H. HARRISON, ESQ. No. 1994. United States to: 2 barrels Whisky, WHERKAS, HORACE H. HARRISON, ESQ... Attorney of the United States for said District, had filed his information in the said Court, as well on behalf of the United States as of fl. fs. Norvell, Collector, &s., against 2 barrels Whisky, seited in the hands of Charles McColet, alloging among other things that said whicky was erized at Nashville, in said district, as heing furfetted to the United States under the Act of Congress, sutitled "An Act to provide infarmal resonne to support the Government, to pay inforest on the public debt, and fer other purposes," approved June 30, 1894, and the act amendatory thereof, approved March 3, 1895.

Now, thereform, in obedience to the monition of the Court to me directed and delivered. I do hereby give public actice to all persons chaiming and property, or knowing or having anything to say why the same should not be condenned as forfeited, that they be and appear before said Cremit Court, to be held in the Federal Court Room, in the Capitol, in the city of Nashville, on the 15th day of Uctober, 1896, then and there to interpose their claims.

OFFICE-NORTH EAST CORNER OF SUMMER AND SPRING STREETS. AGENTS FOR THE SALE Information in Circuit Court United States, for the Middle District of Tennessee, October Term, 1866. No. 1685. The United States va. 22 Barrels Whisky.

No. 1085, The United States va. B Barrels Whisky.
WHEREAS, HORACE H. BARRISON, ESQ.,
Attorney of the United States for east District,
buth filed his information in said Court, as well
on behalf of the United States as of H. L. Norvell, Collector, i.e., and of all pursons concerned,
against two barrels of whisky, alleging among
other things that said whisky was solved in the
hands of T. J. Wars, in Nashville, in the District
aforestid, as forfeited to the United States, under
the set of Congress entitled, "An Act to provide
Internal Revenue to support the Government, to
pay interests on the Public Debt, and other purposes," approved Jane 30, 1884, and the set
amendatory thereof, approved Masch 3, 1865.

Now, therefore, in obedience to the monition of
the Court, to me directed and delivered, I do
hereby gi to public notice to all persons claiming
and property, or knowing or having anything to LOUISVILLE AND NASHVILLE, NASHVILLE AND DECATUR, EDGEFIELD AND MENTUCKY AND NASHVILLE & NORTHWESTERN REANGEMENTS HAVE BEEN MADE A by which we are enabled to give Through heeks for linguage at Hotels and Private louses, to persons purchasing Tickets at our fice. I be some living in Edgefield will be taken to or rom any of the trains entering at Nashville by eaving calle at our office, or applying to our agents and property, or knowing or having saything to say why the same should not be sondemned as forfeited, that they be and appear before mid Circuit
Court, to be held in the Federal Court Room in
the Capitol in the city of Nashville, on the lith of
day of October next, then and there is injurpess
their claims. ound upon all trains arriving at this city.
Omnibuses will attend Kreursions, Picnics alm, etc., etc., on liberal terms.

> C. S. ORDWAT, of Gilescounty, T. B. SAMPLE, of Huntaville, Als. Information in the United States Cinenit Court for the Middle District of Tennessee, October Term, 1800.

> > why the same should not be condemned or for-leted, that they be and appear before said thr-mit Court, to be held at the "Federal Court-koom," in the Capitol, in the city of Nashville, in the 16th day of October, 1800, then and there Insolvent Notice.
> > WHEREAS, ROBERT A. COX Administr
> > ter of the counts of Silas C. Carnwell, dee
> > has suggested to the Clerk of the County Court

Administrator of said Estate WHEREAS ROBERTA.COX, Administrator of the estate of James Roberts, Jr., der'd, has suggested to the Clerk of the County Court of Jackson county. Tennesses, the inservance of Jackson county. Tennesses, the inservance of said actuals: it was therefore, ordered, by raid elerk, that the administrator second in advertise the same in same nesses, and at the court-house door in the term of Gainsbore, for all persons having claims against said estate to file them with min clark, on or before the 3d day of February, 1987, properly satheuticated for pre-sens distribution. All persons having claims against said estate, are hereby notified to file them as required in the above order, or they will be furever barred.

Administrator of said Estate. Insolvent Notice.

Insolvent Notice.

WHEREAR, A. J. R. WALKER, Administrator of the seasor of A. W. Carson, dee'd, has suggested to the Clerk of the County Couri of Jackson county, Tennossen, the insulvency of said estate; it seas therefore, ordered by said clerk, that the simplicitator proceed to advertise the same is some newspaper in the State of Tennessen, and at the court-house door in the tern of Gaincabour, for all persons having claume against said estate to file them with said clerk, or are before the i-th day of February, 1867, properly actionities the i-th day of February, 1867, properly actionities the i-th day of February, 1867, properly actionities deed for poor count distribution. All paymons having claims against said solats are hereby notified to file them as required in the above order, at they will be forever barred.

Administrator of said festate, and—alwise